

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re: AMERICAN HOME MORTGAGE HOLDINGS, INC., a Delaware corporation, <u>et al.</u> , ¹ <div style="text-align: center;">Debtors.</div>	X : : : : : : : : : X	Chapter 11 Case No. 07-11047 (CSS) Jointly Administered
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**DESIGNATION PURSUANT TO FED. R. BANKR. P. 8006 OF ITEMS
TO BE INCLUDED IN THE RECORD ON APPEAL AND STATEMENT
OF ISSUES ON APPEAL WITH RESPECT TO APPEAL FROM ORDER
GRANTING MOTION OF MCLAIN PARTNERS II, LLC FOR PAYMENT
OF ADMINISTRATIVE EXPENSE CLAIM**

Appellants, the above captioned debtors and debtors-in-possession (collectively, the “Debtors”), hereby submit, pursuant to Rule 8006 of the Federal Rules of Bankruptcy Procedure, this designation of items to be included in the record on appeal regarding the Notice of Appeal [Docket No. 4476] from the Order Granting Motion of McLain Partners II, LLC for Payment of Administrative Expense Claim dated May 28, 2008 [Docket No. 4293].

¹ The Debtors in these cases, along with the last four digits of each Debtor’s federal tax identification number, are: American Home Mortgage Holdings, Inc. (6303); American Home Mortgage Investment Corp., a Maryland corporation (3914); American Home Mortgage Acceptance, Inc., a Maryland corporation (1979); AHM SV, Inc. (f/k/a American Home Mortgage Servicing, Inc.), a Maryland corporation (7267); American Home Mortgage Corp., a New York corporation (1558); American Home Mortgage Ventures LLC, a Delaware limited liability company (1407); Homegate Settlement Services, Inc., a New York corporation (7491); and Great Oak Abstract Corp., a New York corporation (8580). The mailing address for all of the Debtors is 538 Broadhollow Road, Melville, New York 11747.

DESIGNATION OF ITEMS FOR RECORD ON APPEAL²

Index No.	Docket No.	Description
1	0135	Emergency Motion for an Order, Pursuant to Sections 105 and 363 of the Bankruptcy Code, Approving Debtors' Entry into License Agreement with Indymac Bank, F.S.B. in Connection With Its Bid for Assignment of Certain Office Leases and Purchase of Related Furniture, Fixtures and Equipment <i>Nunc Pro Tunc</i> to August 8, 2007
2	0137	Emergency Motion for an Order, Pursuant to Sections 105(a), 363 and 365 of the Bankruptcy Code, (i) Authorizing the Assumption and Assignment of Certain Real Property Leases and the Sale of Furniture, Fixtures and Equipment Located Therein; (ii) Approving the Terms of the Letter Agreement; and (iii) Granting Related Relief
3	0352	Minute Entry for August 24, 2007 Hearing
4	0356	Order, Pursuant to Sections 105 and 363 of the Bankruptcy Code, Approving Debtors' Entry into License Agreement with Indymac Bank, F.S.B. in Connection With the Bid to Assume Certain Office Leases and Purchase Related Furniture, Fixtures and Equipment <i>Nunc Pro Tunc</i> to August 8, 2007
5	0357	Order, Pursuant to Sections 105(a), 363 and 365 of the Bankruptcy Code, (i) Authorizing the Assumption and Assignment of Certain Real Property Leases and the Sale of Furniture, Fixtures and Equipment Located Therein; (ii) Approving the Terms of the Letter Agreement; and (iii) Granting Related Relief
6	0725	Transcript of Proceedings Before The Honorable Christopher S. Sontchi for August 24, 2007
7	0767	Minute Entry for September 17, 2007 Hearing
8	0778	Order Establishing and Fixing Cure Amounts Related to Order, Pursuant to Sections 105(a), 363 and 365 of the Bankruptcy Code, (i) Authorizing the Assumption and Assignment of Certain Real Property Leases and the Sale of Furniture, Fixtures and Equipment Located Therein, (ii) Approving the Terms of the Letter Agreement; and (iii) Granting Related Relief
9	0908	Transcript of Proceedings Before The Honorable Christopher S. Sontchi for September 17, 2007

² The following designation includes all documents, exhibits, attachments, and supplements to each item designated herein and in other designations filed in this appeal.

Index No.	Docket No.	Description
10	1905	Motion of Debtors for Order Extending the Deadline Pursuant to Section 365(d)(4) to Assume or Reject Unexpired Leases of Nonresidential Real Property
11	2019	Affidavit of Mailing re: Motion of Debtors for Order Extending the Deadline Pursuant to Section 365(d)(4) to Assume or Reject Unexpired Leases of Nonresidential Real Property [Docket No. 1905]
12	2168	Order Extending the Deadline Pursuant to Section 365(d)(4) to Assume or Reject Certain Unexpired Leases of Nonresidential Real Property
13	2190	Minute Entry for November 28, 2007 Hearing
14	2267	Affidavit of Mailing re: Order Extending the Deadline Pursuant to Section 365(d)(4) to Assume or Reject Certain Unexpired Leases of Nonresidential Real Property [Docket No. 2168]
15	2305	Transcript of Motions Hearing Before The Honorable Christopher S. Sontchi for November 28, 2007 (Wilmington)
16	3006	Debtors' Emergency Motion to Enforce the Terms of the Letter Agreement and Order, Pursuant to Sections 105(a), 363 and 365 of the Bankruptcy Code, (i) Authorizing the Assumption and Assignment of Certain Real Property Leases and the Sale of Furniture, Fixtures and Equipment Located Therein; (ii) Approving the Terms of the Letter Agreement; and (iii) Granting Certain Related Relief
17	3050	Affidavit of Mailing re: Debtors' Emergency Motion to Enforce the Terms of the Letter Agreement and Order, Pursuant to Sections 105(a), 363 and 365 of the Bankruptcy Code, (i) Authorizing the Assumption and Assignment of Certain Real Property Leases and the Sale of Furniture, Fixtures and Equipment Located Therein; (ii) Approving the Terms of the Letter Agreement; and (iii) Granting Certain Related Relief [Docket No. 3006]
18	3059	Debtors' Motion for Order (a) Modifying Letter Agreement With Indymac Bank, F.S.B.; (b) Modifying Order, Pursuant to Sections 105(a), 363, 365 and 554 of the Bankruptcy Code and Rule 9019 of the Federal Rules of Bankruptcy Procedure (i) Authorizing the Assumption and Assignment of Certain Real Property Leases and the Sale of Furniture, Fixtures and Equipment Located Therein; (ii) Approving the Terms of the Letter Agreement; and (iii) Granting Related Relief [Docket No. 357]; and (c) Authorizing the Debtors to Reject Certain Unexpired Leases of Non-residential Real Property and to Abandon Certain Furniture, Fixtures, and Equipment Located Therein

Index No.	Docket No.	Description
19	3061	Notice of Filing of Executed Asset Purchase Agreement By and Between American Home Mortgage Corp. and American Home Mortgage Holdings, Inc. and Indymac Bank, F.S.B., Dated February 23, 2008
20	3062	Notice of Withdrawal of Debtors' Emergency Motion to Enforce the Terms of the Letter Agreement and Order, Pursuant to Sections 105(a), 363 and 365 of the Bankruptcy Code, (i) Authorizing the Assumption and Assignment of Certain Real Property Leases and the Sale of Furniture, Fixtures and Equipment Located Therein; (ii) Approving the Terms of the Letter Agreement; and (iii) Granting Certain Related Relief [Docket No. 3006]
21	3114	Order (a) Modifying Letter Agreement With Indymac Bank, F.S.B.; (b) Modifying Order, Pursuant to Sections 105(a), 363 and 365 of the Bankruptcy Code and Rule 9019 of the Federal Rules of Bankruptcy Procedure (i) Authorizing the Assumption and Assignment of Certain Real Property Leases and the Sale of Furniture, Fixtures and Equipment Located Therein; (ii) Approving the Terms of the Letter Agreement; and (iii) Granting Related Relief [Docket No. 357]; and (c) Authorizing the Debtors to Reject Certain Unexpired Leases of Non-residential Real Property and to Abandon Certain Furniture, Fixtures, and Equipment Located Therein
22	3135	Court Sign in Sheet for February 28, 2008 Hearing
23	3136	Court Sign in Sheet for February 28, 2008 Hearing
24	3141	Notice of Debtors' Assumption and Assignment of Certain Real Property Leases and Sale of Furniture, Fixtures, and Equipment Located Therein, to Indymac Bank, F.S.B.
25	3151	Notice of (i) Debtors' Rejection of Certain Unexpired Leases of Non-residential Real Property and Abandonment of Certain Furniture, Fixtures, and Equipment Located Therein, (ii) Rejection Damages Bar Date, and (iii) Administrative Expense Claims Bar Date
26	3341	Transcript of Proceedings Before The Honorable Christopher S. Sontchi for February 28, 2008
27	3465	Motion of McLain Partners II, LLC for Payment of Administrative Expense Claim

Index No.	Docket No.	Description
28	4131	Affidavit of Mailing re: Debtors' Motion for Order (a) Modifying Letter Agreement With Indymac Bank, F.S.B.; (b) Modifying Order, Pursuant to Sections 105(a), 363, 365 and 554 of the Bankruptcy Code and Rule 9019 of the Federal Rules of Bankruptcy Procedure (i) Authorizing the Assumption and Assignment of Certain Real Property Leases and the Sale of Furniture, Fixtures and Equipment Located Therein; (ii) Approving the Terms of the Letter Agreement; and (iii) Granting Related Relief [Docket No. 357]; and (c) Authorizing the Debtors to Reject Certain Unexpired Leases of Non-residential Real Property and to Abandon Certain Furniture, Fixtures, and Equipment Located Therein [Docket No. 3059]
29	4171	Debtors' Objection to Motion of McLain Partners II, LLC for Payment of Administrative Expense Claim
30	4172	Joinder of The Official Committee of Unsecured Creditors to the Debtors' Objection to Motion of McLain Partners II, LLC for Payment of Administrative Expense Claim
31	4317	Transcript of Omnibus Hearing Before The Honorable Christopher S. Sontchi for May 28, 2008

STATEMENT OF ISSUES ON APPEAL

1. Whether the Bankruptcy Court erred in granting McLain Partners II, LLC an administrative claim pursuant to section 503(b)(7) of title 11, United States Code.
2. Whether the Bankruptcy Court committed legal error in holding that the non-residential real property lease between the Debtors and McLain Partners II, LLC was assumed by the Debtors pursuant to prior Court order.
3. Whether the Bankruptcy Court erred in allowing McLain Partners II, LLC an administrative claim in the fixed amount of \$61,250.00.

4. Whether the Bankruptcy Court erred in requiring the Debtors to immediately pay the administrative claim of McLain Partners II, LLC in the amount of \$61,250.00.

Dated: Wilmington, Delaware
June 19, 2008

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